

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VIETNAM VETERANS OF AMERICA et al.,

Plaintiffs,

v.

CENTRAL INTELLIGENCE AGENCY, et
al.,

Defendants

No.: CV 09-0037-CW

**DECLARATION OF
JESSE H. MONESTERSKY,**

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am the Program Manager, Medical Care Injunction for Participants of Chemical or Biological Substance Testing Programs, Army Public Health Center (APHC), U.S. Army Medical Command (MEDCOM), and the MEDCOM Field Operating Agency with responsibility for supporting the U. S. Army in relation to this litigation. I am familiar with this litigation based upon information received from my staff and legal advisors within MEDCOM.
2. As of December 30, 2021, the Army has received 184 applications, 136 of which were deemed complete and reviewed by a Benefits Application Panel (BAP). The BAP recommended approval for medical care for 80 of the applications for some or all of the conditions listed on the application, and recommended against approval for medical care in 56 cases.
3. As of December 30, 2021, the remaining 48 applications are either in progress, of which the Army has requested additional information for incomplete applications (4); or

1 closed the application due to veteran declining further participation or the death of the
2 applicant (44 applications).

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4 4. As of December 30, 2021, of the 80 applications recommended for SECDES approval
5 by the BAP, 80 applications have received SECDES approval for all or some of the
6 diagnosed conditions, and 1 applications is pending SECDES Program approval
7 renewal.

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9 I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true
10 and correct. Executed on December 30, 2021.

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17 JESSE H. MONESTERSKY, DO, MPH
18 US ARMY PUBLIC HEALTH CENTER

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